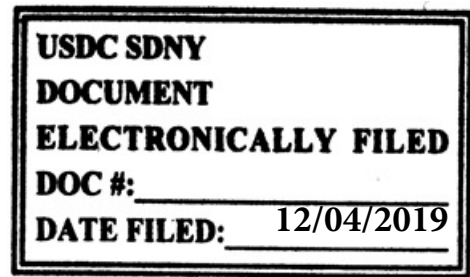


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
SIMCHE SANDEL, as Administrator of the Estate :
of his Wife, MIRIAM SANDEL, deceased, and :
SIMCHE SANDEL, Individually, :
:
Plaintiff, :
:
-against- :
:
UNITED STATES OF AMERICA, :
:
Defendant. :
-----X

19 Civ. 7546 (KHP)

PROPOSED ORDER

1. The Government will answer the Complaint by December 19, 2019. By filing an answer, the Government does not waive, and expressly preserves, any and all defenses it could have asserted in its motion if the motion were filed before the Government's answer to the Complaint.

2. If, after receiving the Government's answer, Plaintiff has not agreed to withdraw his claim for Negligent Hiring (the Complaint's Fifth Cause of Action):

- a. The Government's proposed motion shall be filed by January 21, 2020.
- b. Plaintiff's response shall be filed by February 20, 2020.
- c. The Government's reply shall be filed by March 5, 2020.

3. Discovery shall be stayed as to Plaintiff's claim for Negligent Hiring, only, pending the Court's decision on the Government's motion.

4. Plaintiff's claim for Lack of Informed Consent (the Second Cause of Action) is hereby dismissed with prejudice.

SO ORDERED:

Katharine H Parker

HONORABLE KATHARINE H. PARKER
UNITED STATES MAGISTRATE JUDGE

12/04/2019